

Notice of Allowability

Application No.

10/039,766

Examiner

VAN H. NGUYEN

Applicant(s)

KADAKIA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendments and supporting arguments filed 8/23/05.
2. ☒ The allowed claim(s) is/are 1, 3, 5-10, and 12-16 (now renumbered as 1-13).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date 3/15/05.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Horace h. Ng (Reg. No.39, 315) on November 04, 2005.

3. **The application has been amended as follows:**

In the Claims:

A. All previous copies of claims 1 and 10 have been replaced with the following clean copy of claims 1 and 10 as amended by the Examiner's amendment:

Claim 1. A computer-implemented method for transferring messages between a sending application program and a receiving application program across a distributed communication network, wherein the distributed communication network includes a message source coupled to a message destination, the method comprising:

segmenting a message being received at the message source from the sending application program into a plurality of message segments while encrypting, digitally

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signing and assigning a common message identifier and a unique sequence number to each of the message segments, the message having a plurality of data portions;

transferring the message segments from the message source to the message destination along with the common message identifier and unique sequence numbers assigned to the message segments, wherein at least one of the message segments having at least one data portion is being transferred as other data portions of the message are concurrently being received at the message source;

verifying the authenticity of each of the message segments while assembling the message segments into one or more portions of a reassembled message as the message segments are received at the message destination; and

delivering the one or more portions of the reassembled message to the receiving application program once the one or more portions of the reassembled message are ready to be delivered and while the assembling of other portions of the reassembled message is occurring;

wherein during the transferring step, simultaneously transferring multiple copies of each message segment along with the assigned common message identifier and unique sequence number over alternate paths of the distributed communication network.

Claim 10. A computer-implemented method for transferring messages between a sending application program and a receiving application program across a distributed

communication network, wherein the distributed communication network includes a message source coupled to a message destination, the method comprising:

segmenting a message being received at the message source from the sending application program into a plurality of message segments while encrypting, digitally signing and assigning a common message identifier and a unique sequence number to each of the message segments, the message having a plurality of data portions;

transferring the encrypted and digitally signed message segments from the message source to the message destination along with the common message identifier and unique sequence numbers assigned to the message segments, wherein at least one of the encrypted and digitally signed message segments having at least one data portion is being transferred as other data portions of the message are concurrently being received at the message source;

verifying the authenticity of each of the message segments while assembling the message segments into one or more portions of a reassembled message as the message segments are received at the message destination; and

delivering the one or more portions of the reassembled message to the receiving application program once the one or more portions of the reassembled message are ready to be delivered and while the assembling of other portions of the reassembled message is occurring;

wherein during the transferring step, simultaneously transferring multiple copies of each encrypted and digitally signed message segment along with the assigned common message identifier and unique sequence number over alternate paths of the

distributed communication network.

B. Claims 2, 4, and 11 have been cancelled.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

5. The prior art does not expressly teach or render obvious the invention as recited in independent claims 1 and 10.

6. Halliday et al. (Pub. No. : US 2002/0083345 A1) discloses "*segmenting a message being received at the message source from the sending application program into a plurality of message segments while assigning a common message identifier and a unique sequence number to each of the message segments; transferring the message segments from the message source to the message destination along with the common message identifier and unique sequence numbers assigned to the message segments, with at least one of the message segments being transferred as the message is being received at the message source; assembling the message segments into a reassembled message as the message segments are received at the message destination; and delivering at least a portion of the reassembled message to the receiving application program*" [see paragraphs 0041, 0046-0050, 0090 and figs. 1 and 10].

7. Halliday, however, does not specifically disclose “*segmenting a message being received at the message source from the sending application program into a plurality of message segments while encrypting, digitally signing and assigning a common message identifier and a unique sequence number to each of the message segments, the message having a plurality of data portions; verifying the authenticity of each of the message segments while assembling the message segments into one or more portions of a reassembled message as the message segments are received at the message destination; delivering the one or more portions of the reassembled message to the receiving application program once the one or more portions of the reassembled message are ready to be delivered and while the assembling of other portions of the reassembled message is occurring; and during the transferring step, simultaneously transferring multiple copies of each encrypted and digitally signed message segment along with the assigned common message identifier and unique sequence number over alternate paths of the distributed communication network*” as amended to independent claims 1 and 10.

8. Nor were references uncovered that would have provided a basis of evidence for asserting a motivation that one of ordinary skill level in the art at the time the invention was made, knowing of a method for transferring messages in this specific environment, would have integrated or modified to teach the message transferring method including the specific features as recited in the context of independent claims 1 and 10.

9. Dependent claims are allowed as they depend upon allowable independent claims.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached on (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

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